

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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AGNES LAWSON, et al.,	:	
	Plaintiffs,	:
v.	:	Civil Action No.: 3:16-cv-2435-BRM-DEA
PRAXAIR, INC., et al.,	:	
	Defendants.	:

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**THIS MATTER** having come before the Discovery Master through the September 9, 2019 letter application of Third-Party Defendant University Medical Center of Princeton at Plainsboro (UMCPP), and the September 23, 2019 letter application of Defendants and Third-Party Plaintiffs Praxair, Inc., Praxair Distribution, Inc. (PDI) and Praxair Distribution Mid-Atlantic, LLC (PDMA) (collectively, Praxair), each raising various discovery issues; and the Discovery Master having considered the parties' written submissions and heard oral argument; and good cause appearing for the entry of this Order,

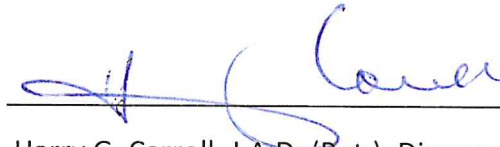
**IT IS on this 5<sup>th</sup> day of November, 2019,**

**ORDERED AS FOLLOWS:**

1. UMCPP's application seeking more specific information as to PDMA and PDI, and their roles with respect to the Grab n'Go Vantage oxygen tank (GNG), is:
  - (a) **Granted** as to The Third Set of Interrogatories, Nos. 12, 13, 16, 18 and 19; and the Fourth Set of Interrogatories, Nos. 6 and 7.
  - (b) **Denied** as to the Third Set of Interrogatories, Nos. 14 and 17, and as to the Fourth Set of Interrogatories, No. 9, as the existing responses are deemed sufficiently specific.
  - (c) **Granted** as to Third Set of Document Demands Nos. 4, 5, 6, and 14.
2. UMCPP's application seeking additional documentation regarding the joint venture and subsequent merger between PDMA and PDI is **Denied** as to the Third Set of Document Demands, No. 21; the Fourth Set of Document Demands, Nos 3-12; and the Fourth Set of Interrogatories, Nos. 10-11.
3. UMCPP's application in No. 24 of the Third Set of Interrogatories, which seeks the identity of any other hospital that entered into the same form of PSA, is **Denied** on the basis that it is not reasonably calculated to lead to the discovery of admissible evidence.
4. Praxair's application to compel production of the Joint Commission Report is **Denied**.

5. With respect to Praxair's Third Set of Discovery Requests, Document Request No. 4, UMCP shall amend their response to state expressly that no non-privileged documents are being withheld, and identify by Bates number the privileged documents that are responsive to this request.

6. Praxair's application with respect to the New Jersey Patient Safety Act is **Granted in Part**; UMCP shall submit the disputed documents to the Discovery Master for *in camera* review to determine whether said privilege applies in whole or in part.



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Harry G. Carroll, J.A.D. (Ret.), Discovery Master